

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
W/S Evna Road, 1270' N of the \* ZONING COMMISSIONER  
c/l of Mt. Carmel Road  
(17104 Evna Road) \* OF BALTIMORE COUNTY  
7th Election District  
3rd Councilmanic District \* Case No. 93-156-SPH  
Ralph L. Hackler, et ux  
Petitioners \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for that property known as 17104 Evna Road located in northern Baltimore County. The Petition was filed by the owners of the subject property, Ralph L. and Elsie Mae Hackler, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.). The Petitioners request approval of the nonconforming use of a 4.2 acre portion of the subject property as a septic, sawmill and excavating business, as more particularly described on Petitioner's Exhibit 1, the plat which accompanied the Petition filed.

Appearing at the public hearing in support of this matter were Ralph L. Hackler, one of the property owners, and numerous other residents of the locale. Mr. Hackler was represented by Leslie A. Winter, Esquire. Appearing in opposition to the Petition filed were Frederick L. and Ernest W. Tyler, Jr., owners of an abutting property. Also appearing as an interested party was Leonard Wasilewski, Zoning Inspector with the Zoning Administration and Development Management (ZADM) office.

Testimony indicated that the subject property, known as 17104 Evna Road, consists of 4.2 acres split zoned R.C.2 and R.C.4 and is improved with a single family dwelling and various outbuildings as shown in the shaded area depicted on Petitioner's Exhibit 1. Mr. Hackler testified

that he has owned the subject property since 1954 and that prior to 1954, the property was owned by other members of his family, including his grandfather, Thomas Clinton Hackler. Mr. Hackler testified that his grandfather began operating a sawmill on the property in approximately 1942. He recalled that the site was originally cleared of timber at that time and that products from the sawmill were transported on old trucks. Mr. Hackler testified that the sawmill business employed not only his grandfather, but also his father and two uncles. Mr. Hackler stated that he continued to operate the business after he acquired the property in 1954 and that there has been no interruption in the sawmill operation since 1942. Mr. Hackler also testified that he has operated a septic system cleaning business from this site for many years. He specifically recalls beginning operations in this respect in approximately 1954. He further testified that equipment (bulldozers and trucks) used in connection with an excavation business have been stored on the property since the early 1950s.

Also testifying on behalf of the Petition was Vernon Foster, who resides at 1039 Mt. Carmel Road. Mr. Foster testified that he is the sixth generation of his family to reside on that property and that he has known the Hackler family since the 1930s. Mr. Foster stated that the subject property has always been used for a sawmill business. Mr. Foster also testified that he has personal knowledge that bulldozers, trucks and other excavating equipment have been stored on the site for many years. Lastly, he corroborated Mr. Hackler's testimony that the septic business has existed on the site for many years. As Chairman for the Baltimore County Soil Conservation District, Mr. Foster testified that he believes Mr. Hackler provides a valuable service to the community. He testified

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ORDER RECEIVED FOR FILING  
Date 5/13/93  
By [Signature]

that Mr. Hackler will handle many jobs that other businessmen will not accept as being too small and not economically worthwhile. Mr. Foster believes that Mr. Hackler is a good neighbor and that the relief sought in the Petition should be granted.

Also appearing in support of the Petition was Martha Hackler, the Petitioner's aunt. Ms. Hackler testified that she is 87 years of age and has lived in Baltimore County her entire life. As with the other witnesses, she corroborated the existence of the above-named businesses on this property for many years, going back at least as far as the early 1940s.

Her testimony was echoed by many of the residents of the neighborhood who appeared in support of the Petition filed, including Carl Nash, George Gemmill, and Kenneth Bosley. All of these witnesses are long-time residents of this area of northern Baltimore County and testified as to their personal knowledge of the subject businesses existing on this site for many years. They also corroborated the testimony of Mr. Hackler that the subject businesses have operated on the site continuously and without interruption for many years.

Al Windesheim, a neighbor who resides across from the subject site, also testified in support of the relief requested. He echoed the sentiments that Mr. Hackler is a good neighbor. His comments were corroborated by Nancy Smith, a member of the Citizens Alliance of Northern Baltimore County, who noted that Mr. Hackler provides a valuable service to the residents of the northern portion of Baltimore County who do not have public sewer service.

Also testifying was Leonard Wasilewski, an inspector from the Baltimore County Zoning Administration and Development Management Office. Mr. Wasilewski does not have personal knowledge regarding the history of

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Date 5/13/93  
By [Signature]

this site; however, he did provide instructive testimony as it relates to current conditions. Mr. Wasilewski noted that the property contains a considerable amount of debris and that there is a long history of zoning violations associated with the use of this property. As pictures introduced by Mr. Wasilewski show, there are numerous inoperable motor vehicles, debris, and discarded machinery on the site. Mr. Wasilewski observed that Mr. Hackler is from "the old school" and opined that the Petitioner believes that he can use his property in any way he desires, irrespective of any zoning regulations.

Testifying in opposition to the relief requested were the adjoining property owners, Frederick L. Tyler and Ernest W. Tyler, Jr. Although neither of the Tylers reside on their property, they believe that the present condition of Mr. Hackler's property adversely affects the value of their property. They also testified as to numerous episodes of confrontation and contention between themselves and the Petitioners. In their view, they are unable to utilize their property due to Mr. Hackler's use of his property.

As to the merits of this case, this matter comes before me as a Petition for Special Hearing seeking a legitimization of the identified businesses on the site as nonconforming uses. A nonconforming use is defined in Section 101 of the B.C.Z.R. and regulated by the provisions of Section 104.1 thereof. As applied in this case, the Petitioner avers that the subject uses on the property are nonconforming, that is, that the site has been used in its present fashion since prior to the adoption of the zoning regulations which prohibited such use. Further, the Petitioner argued that the use of the subject property for the businesses identified has been continuous and uninterrupted.

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ORDER RECEIVED FOR FILING  
Date 5/13/93  
By [Signature]

Zoning came officially to Baltimore County on January 2, 1945, when, pursuant to previous authorization by the General Assembly, the County Commissioners adopted a comprehensive set of zoning regulations. Subsequently, a new set of comprehensive zoning regulations were adopted on March 30, 1955. These regulations defined nonconforming uses and identified the law applicable thereto within Section 104. This Section has been modified and amended over the years.

In applying the law to the instant case, I am persuaded that the Petitioners have met their burden and that the relief requested should be granted. The uncontradicted testimony presented was that the sawmill, septic and excavation businesses have existed on this site for many years. Testimony in this respect was received from a number of witnesses, all of whom testified from their personal recollection and knowledge of this site. Further, the testimony was unanimous that these businesses have operated on this site since the mid 1940s on an uninterrupted basis. Thus, there has been no forfeiture of the right which would be granted by the approval of the nonconforming use. That is, the Petitioner has operated these businesses on a continuous and uninterrupted basis so as not to lose the rights conferred under Section 104.1 of the B.C.Z.R. For these reasons, I am persuaded that the Petition for Special hearing should be granted and will so order.

Notwithstanding my decision in this respect, however, it is clear that portions of this property are not well-kept. I am sympathetic to the plight of the Tylers. Although it is indeed true that "a man's home is his castle", the zoning regulations and laws of this County must be equally applied to all property owners. Although a property owner has the right to use his property in a legally permissible fashion, these rights cannot

be so construed so as to adversely affect the property rights of his neighbor. Mr. Hackler must come to understand and accept this principle.

In connection therewith, I will impose a series of restrictions on the subject property. These restrictions are precedent to the relief granted; that is, failure of the property owners/Petitioners to comply with the restrictions imposed shall result in a forfeiture of the relief granted within this Order. Simply stated, if the Petitioner fails to comply with the restrictions which follow, his right to operate the septic, sawmill and excavation businesses from the premises shall terminate. The restrictions, which are more fully set forth below, are designed to only bring some order to the subject property and surrounding community. They are not intended to restrict the lawful operation of Mr. Hackler's businesses. They are, however, intended to make certain that the subject property does not deteriorate or present an eyesore to the community. Further, they are designed to insure that Mr. Hackler complies with all appropriate Baltimore County Zoning Regulations.

Pursuant to the advertising, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested in the Petition for Special Hearing shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of May, 1993 that the Petition for Special Hearing to approve the nonconforming use of a 4.2 acre portion of the subject property as a septic, sawmill and excavating business, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

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ORDER RECEIVED FOR FILING  
Date 5/13/93  
By [Signature]

has expired. If, for whatever reason, this Order is reversed, the relief granted shall be rescinded.

2) The nonconforming use granted herein is limited to that 4.2 acre parcel of land which has been shaded on Petitioner's Exhibit 1. The said nonconforming use is subject to the provisions set forth in Section 104.4 of the B.C.Z.R. as it relates to any expansion thereof.

3) The nonconforming use granted herein is further limited to the Petitioners and members of their immediate family. In the event the property is sold, leased, or transferred, the nonconforming use granted herein shall terminate.

4) Within sixty (60) days of the date of this Order, the Petitioners shall remove any inoperable, untagged, and/or unlicensed vehicles and all trash and debris from the subject property to the satisfaction of the Zoning Inspector assigned to this case. Further, any zoning violations on the property must be corrected within that sixty-day time frame. Any extension of that time period must be requested in writing and obtained from this Zoning Commissioner.

5) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

6) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LES:bjs

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

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Date 5/13/93  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

May 13, 1993

(410) 887-4386

Leslie A. Winter, Esquire  
600 Baltimore Avenue, Suite 202  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
W/S Evna Road, 1270' N of the c/l of Mt. Carmel Road  
(17104 Evna Road)  
7th Election District - 3rd Councilmanic District  
Ralph L. Hackler, et ux - Petitioners  
Case No. 93-156-SPH

Dear Mr. Winter:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Messrs. Frederick L. Tyler and Ernest W. Tyler  
1127 William Street, Baltimore, Md. 21230

Mr. Leonard Wasilewski, ZADM

People's Counsel

file

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# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 17104 Evna Road which is presently zoned RC-4&RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the non-conforming use of this 4.2 acre site as septic, sawmill and excavating business.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact/Purchase/Carry

(Type or Print Name)

Signature

Address

City

State

Zip Code

Attorney for Petitioner

Leslie A. Winter

(Type or Print Name)

Signature

Address

City

State

Zip Code

Phone No.

Office Use Only

Reviewed by

Date

(We so solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

RALPH L. HACKLER

(Type or Print Name)

Signature

Address

City

State

Zip Code

Phone No.

Office Use Only

Reviewed by

Date

Next Two Months

ALL OTHERS

Reviewed by

Date

11-5-92

17104 Evna Rd. (410) 357-8910

Parkton, MD 21120

City

State

Zip Code

Phone No.

Office Use Only

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Reviewed by

Date

11-5-92

DDM/Developers Engineering Division (Public Services) 11/23/92  
 Development Review Committee Response Form  
 Authorized signature *James D. Ramsey* Date *11/23/92*

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Charles L. and Maureen Lamoreaux	148	11-16-92	NC	
DED DEPRM RP STP TE	Stephen F. and Christopher S. Jencks	154		<i>Comment</i>
DED DEPRM RP STP TE	John and Carol Villanova	156	NC	
DED DEPRM RP STP TE	Keys Development Corporation	157		<i>Comment</i>
DED DEPRM RP STP TE	Steven J. and Beverly A. Tinchula	158	NC	
DED DEPRM RP STP TE	Steven M. and Deborah S. Faulkner	159	NC	
DED DEPRM RP STP TE	Ralph L. and Elsie M. Hackler	160	NC	
DED DEPRM RP STP TE	Theresa Rykaczewski	161	NC	
DED DEPRM RP STP TE	Jean Romadka	162	NC	
DED DEPRM RP STP TE	Residuary T. of Milton Schwaber - Carroll Independent Fuel	163		<i>Comment</i>
COUNT 10:	Richard M. Diotte	155	11-9-92	
DED DEPRM RP STP TE				

*Rec'd 11/23/92*

**Maryland Department of Transportation**  
**State Highway Administration**

11/10/92  
 O. James Lighizer  
 Secretary  
 Hal Kassoff  
 Administrator

*Ms. Julie Winiarski*  
*Zoning Administration and*  
*Development Management*  
*County Office Building*  
*Room 109*  
*111 W. Chesapeake Avenue*  
*Towson, Maryland 21204*

Re: *Baltimore County*  
*Item No.: +160 (JJ5)*

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
*David Ramsey 11/10/92*  
*John Contestabile, Chief*  
*Engineering Access Permits*  
*Division*

**RECEIVED**  
 NOV 10 1992  
**ZONING OFFICE**

My telephone number is \_\_\_\_\_  
 Typewriter for Impaired Hearing or Speech  
 383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
 707 North Calvert St., Baltimore, Maryland 21203-0717

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
 Zoning Administration &  
 Development Management

DATE: November 24, 1992

FROM: Pat Keller, Deputy Director  
 Office of Planning and Zoning

SUBJECT: Hackler Property

Item Number: 160  
 Petitioner: *Ralph L. Hackler*  
 Property Size: *4.2 acres*  
 Zoning: *RC 4, RC 2*  
 Requested Action: *Special Hearing*  
 Hearing Date: *11/1*

**SUMMARY OF RECOMMENDATIONS:**  
 This petitioner is requesting a Special Hearing to approve a non-conforming use of this 4.2 acre site as a septic, sawmill and excavating business.

If the petitioner's request is granted, the Office of Planning and Zoning recommends that the following conditions be placed in the Zoning Commissioner's Order.

1. Junk and debris should be removed to the satisfaction of Zoning Administration prior to final decision by the Zoning Commissioner. (See Zoning Enforcement's letter of October 27, 1992 to Mr. Lee Thomson, Assistant County Attorney.)
2. The trailers located outside the designated area for business use should be required to relocate back into this business area or be removed from the premises.
3. Although a landscape plan is not required in a RC 2 or RC 4 zone, the petitioner should be required to submit a landscape plan to the Office of Planning and Zoning for approval.
4. Finally, Section 104.3 of the B.C.Z.R. states, "no non-conforming building or structure and no non-conforming use of a building, structure or parcel of land shall hereafter be extended more than 25% of the ground floor area of the building so used". Due to the rural setting and environmental sensitivity of the RC 4 zone, it is recommended that no further expansion of this property should be permitted in the future.

Prepared by: *James Ramsey*  
 Division Chief: *Pat Keller*  
 EMcd/FM:rdn  
 160.ZAC/ZAC1 *Rec'd 11/24/92*

**BUREAU OF TRAFFIC ENGINEERING**  
**DEPARTMENT OF PUBLIC WORKS**  
**BALTIMORE COUNTY, MARYLAND**

DATE: November 19, 1992

TO: Mr. Arnold Jablon, Director  
 Office of Zoning Administration  
 and Development Management

FROM: Rahee J. Famiel

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: November 16, 1992

ITEM NUMBER: 160

The minimum paving width for a road with truck traffic is 20 ft.

*Rahee J. Famiel*  
*Traffic Engineer II*

10/1/93

*Rec'd 11/19/92*

**Baltimore County Government**  
**Fire Department**

700 East Joppa Road, Suite 901  
 Towson, MD 21204-5500

NOVEMBER 17, 1992 (410) 887-4500

Arnold Jablon  
 Director  
 Zoning Administration and  
 Development Management  
 Baltimore County Office Building  
 Towson, MD 21204

RE: Property Owner: RALPH L. HACKLER AND ELSIE MAE HACKLER  
 Location: #17104 EVNA ROAD  
 Item No.: +160(JJ5) Zoning Agenda: NOVEMBER 16, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

WHAT PROVISIONS ARE MADE FOR SAWMILL WASTE REMOVAL?

REVIEWER: *Pat Keller* Noted and Approved *Pat Keller*  
 Planning Group Fire Prevention Bureau  
 Special Inspection Division

JP/KEK

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

TO: Leonard Wasilewski DATE: June 26, 1992

FROM: Lee S. Thomson *LS*

SUBJECT: Ralph L. and Elsie Hackler  
 Your Case No. 88-228

Attached please find a copy of the Order for Permanent Injunction dated June 10, 1992 in connection with the above-captioned case.

LSJ/jd  
 Enclosure

*Signed 6/10/92*  
*120 to clear up*  
*Must be closed by 10/1/92*

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

TO: Shari Cormack  
 District Court

DATE: March 2, 1993

FROM: Jane Daugherty  
 Office of Law

SUBJECT: Baltimore County v.  
 Ralph and Elsie Hackler  
 DOWD No. 890-89 SP/T

Pursuant to our telephone conversation of March 1, 1993, attached please find Motion For Citation For Contempt And Other Relief, together with Show Cause Orders, on the above-captioned case. Further attached is Request For Summons and Request For Service as to each Defendant.

As I advised you during our conversation, this Motion was originally filed in November 1992. Since you were unable to locate same, you requested that we prepare another copy and forward it to your attention for action.

Thank you for your assistance in this matter.

Attachments

**RECEIVED**  
 MAR 2 1993  
**ZONING OFFICE**

**Baltimore County**  
**Zoning Administration & Development Management**  
 111 West Chesapeake Avenue  
 Towson, Maryland 21204  
 (410) 887-4500

**Zoning Enforcement**

**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

TO: Carl W. Richards  
 Zoning Coordinator

DATE: November 6, 1992

FROM: James H. Thompson -LJW  
 Zoning Enforcement Coordinator

RE: Item No. 160  
 Petitioner: TONY WINTER ESQ.

VIOLATION CASE # C-88-1220  
 DISTRICT COURT CASE # C-88-228 / 00SP890-89 162  
 INJUNCTION SIGNED JUNE 10, 1992

LOCATION OF VIOLATION 17104 EVNA ROAD

DEFENDANT RALPH & ELSIE HACKLER

ADDRESS 17104 EVNA ROAD  
 PARKTON, MD 21120

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME ADDRESS

ERNIE TYLER  
 5770 YORK ROAD  
 BALTIMORE, MD 21202

2011 High R. 4 Court  
 Essex 4-16 Md. 21050

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

*Also - Fred Tyler*  
*1117 William St.*  
*Balto. Md. 21230*

\*Injunction Attached



# Zoning Enforcement

Baltimore County  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3381

BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Lee Thomson, Assistant County Attorney  
October 27, 1992

FROM: Leonard Wasilewski, Zoning Inspector

SUBJECT: PERMANENT INJUNCTION SIGNED JUNE 10, 1992  
DISTRICT COURT CASE NO. 890-89 SP/T  
ZONING CASE CV 88-228  
RALPH & ELSIE HACKLER  
EVNA ROAD PARCELS 200, 305 & 349  
7TH ELECTION DISTRICT

In response to the complainant's request, I did a follow-up investigation (accompanied by two Baltimore County police) at the above referenced location on October 21, 1992 and took 14 pictures. The property appeared to be in violation of the Baltimore County Zoning Regulations by storing numerous unlicensed and inoperative motor vehicles, numerous commercial vehicles, contractor's equipment, auto parts, engines, tires, miscellaneous junk, trash and debris.

Additionally, I have been unable to find any evidence of an application for a special hearing for this property. Please have the subject case reset as soon as possible.

LW:cer

J. ROBERT HAINES, ZONING COMMISSIONER  
Plaintiff  
V.  
RALPH L. HACKLER, and ELSIE HACKLER  
Defendants  
Case No. 890-89 SP/T

## MOTION FOR CITATION FOR CONTEMPT AND OTHER RELIEF

Baltimore County, Maryland, as the real party in interest, vice J. Robert Haines, former Zoning Commissioner, moves this Court to cite the Defendants, Ralph L. Hackler and Elsie Hackler, for contempt of this Court and for other relief, and for reasons therefor, says:

1. That on June 10, 1992 this Court passed its Order For Permanent Injunction, wherein and whereunder Defendants were permanently enjoined and restrained from committing or permitting the Commission of any violation of the Baltimore County Zoning Regulations upon the property referred to therein, to take effect one hundred twenty (120) days from the date of said Order.

2. That the aforesaid property was inspected by a duly authorized representative of the Plaintiff on October 21, 1992, at which time numerous violations of the Baltimore County Zoning Regulations were observed, including, but not limited to, the storage of inoperative and unlicensed motor vehicles on residential property; the storage of commercial vehicles upon residential property; the operation of an open dump, and; the operation of a junk yard.

WHEREFORE, Plaintiff seeks the following relief by this Motion:

a. That this Court cite Defendants for contempt for violations of its Order of June 10, 1992 and, after hearing, adjudge them, and each of them, in contempt of that Order;

b. That this Court issue its Show Cause Order, pursuant to Rule P.4.b.1, to each of said Defendants, requiring each of said Defendants to appear before this Court and to show cause why an Order adjudging him and her respectively in contempt should not be passed, and;

c. For such other and further relief as the nature of Plaintiff's cause may require.

*Lee S. Thomson*

Lee S. Thomson  
Assistant County Attorney  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4420  
Attorney for the Plaintiff

J. ROBERT HAINES, ZONING COMMISSIONER  
Plaintiff  
V.  
RALPH L. HACKLER, and ELSIE HACKLER  
Defendants  
Case No. 890-89 SP/T

## SHOW CAUSE ORDER

The Court having read and considered Plaintiff's Motion To Cite Defendant for contempt and for other relief, and having determined to cite the Defendant for contempt, it is, this \_\_\_\_ day of \_\_\_\_\_, 1993, by the District Court of Maryland for Baltimore County,

ORDERED, that the Defendant, Ralph L. Hackler, be and he is hereby directed to appear in this Court on the \_\_\_\_ day of \_\_\_\_\_, 1993, to show cause why he should not be adjudged in contempt of this Court for committing or permitting the commission of violations of the Baltimore County Zoning Regulations upon the property referred to in the foregoing Petition, including, but not limited to: the storage of inoperative and unlicensed motor vehicles; the storage of commercial vehicles; the operation of an open dump, and; the operation of a junk yard, all in violation of the Order of this Court entered herein on June 10, 1992, provided, however, that a copy of the foregoing Motion and this Order be served upon the Defendant on or before the \_\_\_\_ day of \_\_\_\_\_, 1993.

JURY

J. ROBERT HAINES, ZONING COMMISSIONER  
Plaintiff  
V.  
RALPH L. HACKLER, and ELSIE HACKLER  
Defendants  
Case No. 890-89 SP/T

## ORDER FOR PERMANENT INJUNCTION

The foregoing action having come before this Court on Plaintiff's Amended Petition for Permanent Injunction on April 15, 1992, at which time the parties, through their respective counsel, having determined to consent to the passage of this Order, it is, this 14th day of June, 1992, by the District Court of Maryland for Baltimore County,

ORDERED, that effective One Hundred Twenty (120) days from the date of this Order the Defendants, Ralph Hackler and Elsie Hackler, and each of them, be and they are hereby enjoined and restrained from committing or permitting the commission of any violation of the Baltimore County Zoning Regulations upon the property which is the subject of this action.

APPROVED AS TO FORM AND CONTENT:

Lee S. Thomson  
Assistant County Attorney  
Attorney for the Plaintiff

Elsie A. Hackler  
Attorney for the Defendants

RECEIVED  
JUN 23 1992

OFFICE OF LAW

## VIOLATION CASE FILE MEMORANDUM

CASE NO. 898-228

DATE: 9/4/91

CONVERSATION:  
IN-PERSON: Ralph Hackler, Tom Farley, Ego  
TELEPHONE:

INDIVIDUAL(S) INVOLVED:

*He Hackler threatened to kill me if I took pictures of his property. He said he would go to jail before he would clean up his property several times.*

*He wanted a case in the said area where the county had cleaned a property and placed a tax lien on the property in question.*

*He stated that the commercial equipment has been stored on his property for 20 years. He also told us that all trailers in the middle of property were used to store junk and that he had to move them to the back of the property.*

*He stated that he had a junk vehicle in the back of his property.*

*He stated that he had a junk vehicle in the back of his property.*

HEREFORD COMMUNITY ASSOCIATION  
P.O. BOX 180 MONKTON, MD 21111

December 11, 1992

Mr. Lawrence Schmidt  
Zoning Commissioner  
400 Washington Avenue  
Towson, Maryland 21204

Dear Mr. Schmidt:

RE: 93-156 SPL

At our meeting on December 8th our organization agreed to conditionally support Ralph L. Hackler's application for a non-conforming use of his property at Evna Road. We felt that since the property has been in the Hackler family in excess of fifty years consideration should be given to this longtime resident.

It was also pointed out that the septic tank maintenance service he provides is important to the rural community. Local farmer Vernon Foster told the group that Ralph has also been a valuable partner in soil conservation projects with the agri-business community.

Our support is contingent upon Mr. Hackler's complying with the recommendations of Jeffrey Long, OPE, for cleaning the premises as well as for appropriate screening.

Sincerely Yours,

*Lee Bishop*  
Lee Bishop,  
Secretary

jlh  
CC: Jeffrey Long, OPE  
CC: File

THE PRINCIPLE VOICE OF THE HEREFORD COMMUNITY

## PROTESTANT(S) SIGN-IN SHEET

NAME: ERNST W. TYLER

ADDRESS:

1127 WILLIAM ST. BALTO MD 21230

PLEASE PRINT CLEARLY

## PETITIONER(S) SIGN-IN SHEET

NAME: Robert E. DeCorse Jr.  
Nancy R. Foster  
Nancy M. Smith  
MARtha A HACKLER  
Carol W. Nash  
Lionel H. Marshall Jr.  
KENNETH T. BOSLEY  
DONALD W. BESLEY  
A.A. WINDSHEIM  
Stephen Paul Mullen

ADDRESS:

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1620 Riva Rd. Baltimore, MD 21210  
16209 Cedar Run Rd. Baltimore, MD 21115  
21330 W. 1st St. Baltimore, MD 21112  
Box 585, Sparks, MD 21152  
Box 124, Sparks, MD 21152  
1749 Evna Rd. Baltimore, MD 21110

